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SUBJECT: NIGERIA: USG TECHNICAL ASSISTANCE UNDER THE TRIPS AGREEMENT

REF: STATE 129187

1. As requested Reftel, in accordance with Article 67 of the TRIPS Agreement, the US Mission in Nigeria has provided the following technical assistance to the GON during the period from September 2000 to August 31, 2001 in the area of intellectual property rights protection:

-- The Commercial Law Development Program (CLDP) of the Department of Commerce, with funding from USAID, sponsored the participation of two officials from the Federal Ministry of Commerce to attend the Visiting Scholars Program on Intellectual Property, October 30 - November 9, 2000 and the follow-on program on IPR Enforcement, November 13-17. These two programs were conducted jointly by the USPTO and WIPO. -- CLDP, with USAID funding, organized the "Administration of Intellectual Property Conference", held from December 13-15, 2000 in Abuja. The Ministries of Commerce and Culture and Tourism, the Intellectual Property Law Association of Nigeria (IPLAN), the Nigerian Office of Technology Acquisition and Promotion (NOTAP), entertainers and scientists helped to convene the conference. The conference focused on the egregious state of Nigeria's industrial property laws and procedures and raised the issues of Nigeria's intellectual obligations in the area of intellectual property rights.

-- CLDP, with USAID funding, organized the "Intellectual Property Rights Workshop" at the ECOWAS Secretariat April 4-6, 2001. This conference was attended by lawyers and government officials from several ECOWAS member-states, including Nigeria. The focus was primarily on what member states must do to become compliant with TRIPS and the WIPO treaties. A diagnostic tool was used to compare national laws with the TRIPS agreement and identify amendments needed to bring the national laws in compliance with TRIPS.

-- CLDP, with USAID funding, brought USPTO's Chief of Trademark Services to Nigeria from July 8-20, 2001, to provide technical assistance. Through the USPTO officer, the USG provided expertise and advice on the procedural and technical administration of an intellectual property office. The visitor made site visits and held consultations in order to conduct an assessment and review of the current infrastructure and procedures in the Nigerian Trademarks, Patents and Designs Registry, and to review the proposed harmonized structure and procedure for all intellectual property administration in Nigeria.

Jeter